

**HOUSING & COMMUNITY DEVELOPMENT COMMISSION**  
**SPECIAL MEETING ACTION MINUTES**  
**MARCH 2, 2017**

**MEMBERS PRESENT:**

Mike Graves	Chair
Melissa Medina	Vice Chair (6:51pm)
Davlyn Jones	Commissioner
Martha O'Connell	Commissioner
Bob Gill	Commissioner (6:32pm)
Gary Prideaux	Commissioner
Andrea Wheeler	Commissioner
Alex Shoor	Commissioner (6:08pm)
Michael Fitzgerald	Commissioner
Nhi Nguyen	Commissioner

**MEMBERS ABSENT:** Lee Thompson Commissioner

**STAFF:**

Dave Bopf	Housing Department
Rachel VanderVeen	Housing Department
Robert Lopez	Housing Department
Helen Chapman	Councilmember Jimenez's Liaison

**(I) Call to Order/Orders of the Day**— Chair Graves opened the meeting at 5:50pm.

**(I) Introductions**—Commissioners, staff, and audience introduced themselves.

**(III) Consent Calendar**

A. Approve the Minutes for the Regular Meeting of February 9, 2017

Commissioner O'Connell made the motion to approve the minutes for the February 9, 2017 regular meeting with edits to include the language "pursuant to Fair Political Practices Commission guidelines" as well as a correction to her name. The motion was seconded by Commissioner Prideaux and passed unanimously (7-0).

**(IV) Reports and Information Only**

- A. Chair – Chair Graves announced that this would be Commissioner Prideaux's last meeting as he is resigning from the Commission and moving to another city.
- B. Director – Mr. Bopf gave an update on the Department's response and assistance for the San Jose flood emergency.
- C. Council Liaison – No report.

**(V) Old Business – none**

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### **(VI) New Business**

#### **A. Destination Home: Homeless Prevention (D. Bopf, Housing Department)**

**Commissioner Wheeler made the motion to recommend to the City Council to support a Grant Agreement between the City of San Jose and the Health Trust as fiscal agent of Destination: Home in the amount of \$1,050,000 to provide funding to support homeless prevention and employment engage initiative for homeless individuals and families with a second by Commissioner Jones. The motion passed unanimously (7-0).**

#### **B. Draft Ellis Act (R. VanderVeen, Housing Department)**

Commissioner Shoor made the motion to recommend to the City Council that the Notice of Intent to Withdraw from property owners should be increased to six months/180 days for all tenants with households with school aged children with a second by Commissioner Gill. The motion passed 7-3 by roll call vote, with Commissioners Fitzgerald, Graves, and Nguyen against.

Commissioner Wheeler made the motion to recommend that tenants should be allowed to stay in their unit until the last date a tenant is mandated to leave with a second by Commissioner Gill. The motion failed 5-5 by roll call vote with Commissioners Jones, Prideaux, Nguyen, Fitzgerald, and Graves against.

Commissioner O'Connell made the motion to remove the language that specifies if a tenant leaves the City voluntarily and does not want relocation assistance, that the property owner does not have to make a relocation payment to the City, with a second by Chair Graves. The motion passed 8-0-2 by roll call vote with Commissioners Shoor and Nguyen abstaining from the vote.

Commissioner Shoor made the motion that all new units on a new property will have same number (1 to 1 ratio) of Apartment Rent Ordinance units as the original ARO property. Commissioner Wheeler added a friendly amendment that the new units should be comparable to the previous units. The friendly amendment was accepted by Commissioner Shoor and the motion was seconded by Commissioner O'Connell. The motion passed unanimously (10-0).

Commissioner O'Connell made the motion to ensure any materials distributed by the City or property owner is translated for the three most common languages spoken in San Jose. Commissioner Shoor added a friendly amendment that the City will assist property owners and the motion was seconded by Chair Graves. The motion passed unanimously (10-0).

Commissioner Shoor made the motion to change the five-year notification of former tenants to two years with a second by Commissioner Nguyen. The motion failed 1-9 by roll call vote, with Commissioner Shoor voting yes for the motion.

Commissioner Shoor made the motion to increase benefit type to six months' rent. Commissioner O'Connell made a friendly amendment to eliminate the security deposit.

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The friendly amendment was accepted by Commissioner Shoor and the motion was seconded by Commissioner Gill. The motion failed 5-5 by roll call vote with Commissioners Jones, Prideaux, Nguyen, Fitzgerald, and Graves against.

Commissioner Shoor made the motion to increase the benefit type to four months rent with a second by Commissioner O'Connell. The motion failed 5-5 by roll call vote with Commissioners Jones, Prideaux, Nguyen, Fitzgerald, and Graves against.

Commissioner Shoor made the motion to increase the benefit type of security deposit to \$750 for studios, \$1,000 for one bedroom and \$200 more per room with a second by Commissioner Gill. The motion failed 5-5 by roll call vote with Commissioners Jones, Prideaux, Nguyen, Fitzgerald, and Graves against.

Commissioner Wheeler made the motion to edit the ordinance so that tenants receive 100% of security deposit back with a second by Commissioner O'Connell. The motion passed 8-2 by roll call vote with Commissioners Fitzgerald and Graves against.

Commissioner Shoor made the motion to specify relocation distance to within 50 miles with a second by Commissioner O'Connell. The motion failed 2-8 by roll call vote with Commissioners Shoor and O'Connell voting yes for the motion.

Commissioner Shoor made the motion to increase quality assistance base levels to +50% with a second by Commissioner Jones. The motion passed 7-3 by roll call vote with Commissioners Prideaux, Graves, and Fitzgerald against.

Commissioner Wheeler made the motion to accept staff's report and recommendations with the changes made by the Commission as voted. Commissioner Gill seconded the motion. The motion passed unanimously (10-0).

### **C. Tenant Protection Ordinance (R. VanderVeen, Housing Department)**

Commissioner O'Connell made the motion to defer this item to the April regular meeting and for the item to be first on the agenda, with a second by Chair Graves. The motion passed unanimously (10-0).

### **D. Future Agenda Items (J. Morales-Ferrand, Housing Department)**

None.

## **(VII) Public Comment**

No public comment.

## **(VIII) Meeting Schedule**

The next regular meeting will be a special meeting on Thursday, April 13, 2017 at 5:45PM, in the San Jose City Hall Wing Rooms 118-120.

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**(IX) Adjournment**

Chair Graves adjourned the meeting at 9:45pm.